



GEORGES RIVER COUNCIL

COUNCIL MEETING

MINUTES OF MEETING

Monday, 7 August 2017

Present

Council Members

Administrator, Mr John Rayner

Council Staff

General Manager, Ms Gail Connolly

Director Assets and Infrastructure, Mr Laurie O'Connor

Director Environment and Planning, Ms Meryl Bishop

Director Community and Culture, Mr David Tuxford

Chief Operating Officer, Ms Carole Todd

Director Transformation and Change, Ms Marissa Racomelara

Acting Executive Manager, Office of the General Manager, Ms Jessica Lee

Governance Officer, Ms Samantha Charlton

Acting Executive Services Officer, Mr Rob McAskill

Opening

The Administrator, Mr J Rayner opened the meeting at 6.02pm.

Acknowledgement of Country

The Administrator acknowledged the traditional custodians of the land, the Bidjegal people.

Apologies

There were no apologies.

Disclosures of Interest

The Administrator made a statement and requested it be included in the minutes.

The Administrator advised that since 2013/2014 he has been a member of Club Central, Menai. Club Central Hurstville and Menai are one body. He advised that he is not an Office Holder at Club Central.

The General Manager made a statement and requested it to be included in the minutes.

The General Manager advised that she is a Volunteer Coach at the Connell's Point Netball Club. She also advised that she is not an Office Holder at the Connell's Point Netball Club.

The Administrator stated:

“A conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carry out your public duty” The key words are: “private interest”

Minutes of previous meeting

COUNCIL MEETING – 3 JULY 2017

The Administrator moved and declared carried:

That the Minutes of the Council Meeting held on 3 July 2017, as previously made available, be adopted.

PROCEDURAL MOTION

The Administrator resolved that standing orders be suspended in order to allow registered speakers to address the Council at 6.05pm

The following registered speakers addressed the Council:

Mr Michael Gheorghiu	Items CCL149-17, CCL146-17, CCL147-17– Draft Hurstville City Urban Design, Draft Georges River LGA Employment Lands Study, Heads of Agreement VPA 53-75 Forest Rd, 108-126 Durham Street, 9 Roberts Lane.
Mrs Adele Garofano	Item not on the Agenda – Discuss 832-839 King Georges Road, Development impact on her property at 51 & 53 Connells Point Road, South Hurstville
Mr Craig Irwin	Item CCL148-17 – Planning Proposal 29-31 McMahan Street, Hurstville
Mr Shamus Toomey	Item CCL148-17 – Planning Proposal 29-31 McMahan Street, Hurstville
Ms Kathleen McDowell	Item CCL155-17 – Draft Hurstville City Centre Urban Design Strategy
Mr Pascal Bobillier	Item CCL176-17 – Central Plaza 292-296 Forest Road, Hurstville
Mr Don Heap	Item not on Agenda – CCL-1173 Operational Budget/ Waratah Hospital change to parking fees and hours – handed a copy of his presentation to the Administrator
Ms Anne Wagstaff	Items CCL157-17, CCL158-17, CCL160-17, CCL161-17 and CCL171-17 Mayor & Councillor Expenses and Facility Policy, Advice on Court Proceedings, Access to Councillors Disclosure of Interest Returns; Code of Meeting Practice, Preliminary Investment Report as at 30 June 2017
Mr Graham Fry	Item CCL152-17 – Canopy Enhancement Program
Mr Con Goussis	Item CCL-149-17 – Employment Lands Study
Mr Kim Wagstaff	Items CCL161-17 and CCL169-17 Meeting Practices for Adoption & Code of Conduct, Draft Procedures for Administration Code of Conduct

PROCEDURAL MOTION

The Administrator resolved that standing orders be resumed at 6.41pm and that item CCL143-17 IHAP s82A Review be considered next

Administrator’s Minutes

Minute No. 27

Domestic Violence – White Ribbon Day Walk

At the Council Meeting on 5 December 2016, it was resolved:

“That in recognition of the high incidence of Domestic Violence and the ongoing need for support for victims and creating awareness of the issue, the Community Development and Services Advisory Committee review the current programs and support provided across Georges River, give consideration to a major awareness event for White Ribbon Day and make a recommendation to Council.”

As reported to Council at that time:

“Domestic violence is a major community issue which sadly affects many individuals and families, either directly or indirectly. Domestic violence is present across all cultures, socio-economic backgrounds and ages.

Statistics show that 1 in 3 women have experienced physical violence from the age of 15, and 1 in 5 women have experienced sexual violence.

Sadly, the St George Area Local Command attends to approximately 250 incidents involving domestic violence every month.

Council staff, the St George Domestic Violence Committee, Local Area Police and a number of community organisations have excellent programs and approaches to support victims and create awareness in the community. These organisations and individuals are to be congratulated on their ongoing commitment and achievements.

White Ribbon Day helps raise awareness among men and boys about the roles they can play to prevent violence against women.

A number of Council are now partnering with the NSW Police Force, schools and community organisations to conduct White Ribbon Walks on White Ribbon Day, to create awareness of domestic violence and to demonstrate the need to stand united against this serious issue. Whether such a walk or some other event should be added to the current domestic violence events is appropriate for Georges River is a matter I would like Council’s Community Development and Services Advisory Committee to consider.”

I am pleased to report that planning is now underway to hold the first Georges River White Ribbon Walk at 1:00pm on Friday 24 November 2017.

The Walk has been endorsed by the Community Development and Services Advisory Committee and a representative group has held a number of meetings to make arrangements for the day.

That group includes representatives from:

- Kogarah Community Services – Ms Cathy Nisbet
- 3 Bridges – Ms Rosemary Bishop
- Georges River Citizen of the Year – Ms Natalie Esdaile-Watts
- Moving Forward - Ms Jan Christie
- NSW Police – Sgt. Alison Gunthrie
- Council Staff

The event has been supported by Assistant Commissioner Mark Walton (formerly Superintendent St George LAC) and has been scheduled not to clash with events to be held on that day at Randwick and Cronulla.

The event is proposed to commence and end at Jubilee Oval and invitations will go to schools, businesses, service clubs, registered clubs, sporting groups and others to participate. The afternoon will include entertainment and activities.

Council has provided \$30,000 in the 2017/18 budget to support the event. Sponsorship may also be sought.

Advisory Committee

A draft Terms of Reference for the formulation of a White Ribbon Walk Advisory Committee is attached for endorsement.

The Administrator moved and declared carried:

1. That the Council endorse the holding of a White Ribbon Day Walk to be held on 24 November 2017.
2. That the draft Terms of Reference for the White Ribbon Walk Advisory Committee be adopted.
3. That the participants in the planning group be thanked for their contribution.

Minute No. 28

Tree Canopy Enhancement Program (CCL152-17)

Many parts of the Georges River are characterised by natural features which include an established tree canopy. In other parts of the LGA, there is a need to increase the number of trees in order to improve the natural environment.

The tree canopy is a living asset, which is highly valued by the community and envied by those who live in areas which do not have a similar coverage of trees.

Changing lifestyles however, has meant that some residents find they no longer have space or the desire for big trees on their property. In addition, the extent of development across the area is leading to the removal of many significant trees. Whilst Development Consent conditions require that trees removed be replaced, compliance is not consistently followed up.

On the 3 April 2017, Council took the decision:

“That in recognition that the established true canopy across Georges River is being reduced, that a report be presented to Council on the establishment of an Urban Tree and Bushland Policy which will include requirements for onsite and / or off site tree replacement.

That Council commence a public education program regarding its controls around preservation and protection of trees in its local government area, including highlighting the potential penalties for offences regarding removal or injury to protected trees.”

Report CCL152-17 “Canopy Enhancement Program” proposes that:

“Council support the development of a Canopy Enhancement Program as a mechanism to maintain and increase urban tree canopy within the Georges River Council Local Government Area (LGA).

The Canopy Enhancement Program is a key mechanism in providing trees for planting in locations where an increase in urban tree canopy has been identified by the Urban Forest Strategy.

The Canopy Enhancement Program will operate under two frameworks. Under the first (Tree Replacement Bond) replacement trees are planted on the site where the original trees were removed. A bond is paid and is partially refunded once Council confirms that the replacement trees have been planted and maintained for a minimum of 6 months. The second (Tree Removal Offset Fee) operates where it is not practical to plant replacement trees on site and the offset fee paid by the applicant is used by Council to plant replacement trees upon predetermined Council owned sites.

Urban tree canopy (also known as urban forest) is the totality of trees and shrubs on all public and private land in and around urban areas (including bushland, parkland, gardens and street trees) and is measured as a canopy cover percentage of the total area. As an example, the City of Sydney has pledged to increase canopy cover from 15.5% to 23.25% by 2030, and then to 27.13% by 2050 via their Urban Forest Strategy.”

The report proposes a number of options and funding methods which will be explored with Council and the community, and sets out the steps to be taken to finalise the program.

Urban Forest Strategy

An overarching Urban Forest Strategy will develop a holistic approach to tree management on private and public land within Georges River. \$70,000 from the State Governments Stronger Communities Grant has been allocated in the 2017-18 Budget, to develop the Urban Forest Strategy and Implementation Program.

Development of the Urban Forest Strategy and its component Canopy Enhancement Program will be important elements in improving the natural environment of Georges River, particularly considering the extent of development which will occur in the future. There is considerable work to be undertaken to develop the supporting politics and I am proposing that in parallel community comment be obtained. This will be in addition to the formal public exhibitions which will form part of the adoption process.

The Administrator moved and declared carried:

1. That report CCL152-17 “*Canopy Enhancement Program*” be considered in conjunction with the minute.
2. That the report “*Canopy Enhancement Program*” be place on Council’s website, to encourage community input to the development of the program.
3. That Council support the development of a Canopy Enhancement Program using the two frameworks outlined in this report to assist in maintaining and increasing the City’s tree canopy and to support the implementation of the Urban Forest Strategy.
4. That a further report be presented to Council in November 2017 seeking endorsement of a draft Canopy Enhancement Program for public exhibition.

Environment and Planning

CCL143-17 IHAP s82A Review

(Report by Senior Planner)

The Administrator moved and declared carried:

- (a) That Council adopt the amendment to the Independent Hearing and Assessment Panel Charter and Guidelines to allow for the introduction of a Section 82A and Section 96AB Review Process.
- (b) That the IHAP Charter and Guidelines be amended to provide an IHAP comprising two entities; Georges River Council IHAP Determining Body and Georges River

Council IHAP Review Body.

- (c) That Council adopt the amended IHAP Charter and Guidelines annexed to this report, with changes included in (b) above.
- (d) That the Council delegate the General Manager to appoint four (4) members to comprise the IHAP Review Body.

CCL144-17 Processing Variations to Height in the Kogarah North Precinct under the Kogarah LEP 2012 Amendment No 2
(Report by Coordinator Strategic Planning)

The Administrator moved and declared carried:

- (a) That Council adopt the criteria that guide the variations to the height of buildings in the Kogarah North Precinct.
- (b) That advice be sought from Sydney Airport Corporation Limited (SACL) prior to the exhibition of the draft Development Control Plan (DCP) with respect to the proposed consideration of the variation to the maximum building height above 33m up to a maximum 40m with respect to the Obstacle Limitation Surface (OLS) in the Kogarah North Precinct.
- (c) If SACL raises no objection to the maximum building height up to a maximum 40m across the Kogarah North Precinct, then the criteria to guide a variation in building height above the 33m and associated objectives and controls as outlined in the body of the report be incorporated into the draft Development Control Plan (DCP) and placed on exhibition.
- (d) That if no submissions are received on the draft Development Control Plan that the Plan is submitted to the General Manager for adoption.

CCL145-17 Planning Proposal to vary clauses 4 4A and 6 6 of Hurstville Local Environmental Plan 2012
(Report by Manager Strategic Planning)

The Administrator moved and declared carried:

- (a) That Council adopt the amendment to the Hurstville Local Environmental Plan (LEP) to amend *Clauses 4.4A – Exceptions to floor space ratios for buildings on land in certain zones* and *6.6 Active street frontages*, as exhibited, and request the Department of Planning and Environment to draft and finalise the amendment to Hurstville LEP 2012 in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.
- (b) That those who made a submission be notified of Council's decision.

CCL146-17 Planning Proposal PP2015-0001 53-75 Forest Road 108-126 Durham Street and 9 Roberts Lane Hurstville
(Report by Manager Strategic Planning)

The Administrator moved and declared carried:

1. That Council acknowledge the recommendations of the Georges River IHAP in relation to the "Hurstville East" Planning Proposal for the provision of affordable housing, detailed urban design analysis and site amalgamation.
2. That Council support forwarding to the delegate of the Greater Sydney Commission a

request for a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 the “Hurstville East” Planning Proposal to amend Hurstville Local Environmental Plan 2012 in respect of land known as 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville:

- a. To change of land use zoning from IN2 Light Industrial and part R2 Low Density Residential to B4 Mixed Use.
 - b. To amend the Floor Space Ratio Map to increase the FSR from 0.6 (R2) and 1:1 (IN2) to 2:1 along Roberts Lane and up to 3.5:1 for the remainder of the site (including a minimum commercial FSR of 0.5:1).
 - c. To amend the Height of Buildings Map to increase the maximum building height from 9m (R2) and 10m (IN2) to a range of heights of 12m along Roberts Lane and to 21m, 28m 30m, 40m and 65m for the remainder of the site.
 - d. To amend the Active Street Frontages Map to apply an active street frontage along Forest Road and Durham Street frontages of the site.
 - e. To provide a Hotel incentive 0.5:1 for the hotel accommodation land uses for that portion of the site on the corner of Forest Road and Durham Street.
- 3
- (a) That Council delegate the General Manager to negotiate with the proponent on the provisions of the affordable housing on the site in association with the uplift proposed in the “Hurstville East” Planning Proposal, prior to the issue of the Gateway determination by the Greater Sydney Commission.
 - (b) Should negotiations referred to in (a) above not be finalised prior to the issue of the Gateway Determination, a further report be submitted to Council outlining progress to date and providing options for satisfactory completion of the matter.
4. That if a Gateway Determination is issued by the Greater Sydney Commission or its delegate under Section 56 of the Environmental Planning and Assessment Act 1979 that the Planning Proposal should proceed, then prior to community consultation, the following shall be undertaken:
- the proponent shall prepare a revised urban design analysis that assesses the inter-relationship between the proposed height and floor space ratio and considering provision of ground level communal open space, street setbacks, road widening and compliance with all aspects of the Apartment Design Guide; and
 - Site amalgamation provisions are developed in order to ensure superior development outcome based on the maximum floor space ratios and heights; and
 - A suitable mechanism for the delivery of affordable housing on the site be agreed.
5. That if it is determined by the Greater Sydney Commission or its delegate under Section 56 of the Environmental Planning and Assessment Act 1979 that the Planning Proposal should proceed, Council prepare an amendment to the Hurstville DCP to run concurrently with an amendment to the Hurstville Local Environmental Plan 2012, which reflects the revised urban design analysis for future development of the site including the inter-relationship between the proposed height and floor space ratio, amount and location of ground level open space, landscaped setbacks, deep soil areas, site access, road widening, through site links and site amalgamation requirements. The DCP shall be prepared at the proponents cost.

6. That all land owners the subject of the Planning Proposal to amend Hurstville Local Environmental Plan 2012 (“Hurstville LEP 2012”) be notified of Council’s resolution.
7. That the General Manager place the Planning Proposal on formal public exhibition subject to the satisfactory completion of the requirements of the recommendations 3 to 5 and in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment.

CCL147-17 Heads of Agreement to enter into a VPA - Planning Proposal PP2015 0001 53-75 Forest Road 108-126 Durham Street and 9 Roberts lane Hurstville
(Report by Manager Strategic Planning)

The Administrator moved and declared carried:

- (a) That Council accept the written offer dated 11 July 2017 from The One Capital Group Pty Ltd (**Developer**) to enter into a Voluntary Planning Agreement (**ATTACHMENTS 1 & 2**) in relation to the Planning Proposal PP2015/0001 which seeks amendments to Hurstville LEP 2012 at 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville (legally described as Lot 1 in DP 225302; Lot 100 & 101 in DP 776275; Lot 1, 2, 3 & 4 in DP 12517; and Lot 10 in DP621395), which will deliver the following public benefits:
 1. A monetary contribution of \$7,375,878 (indexed). The monetary amount is to be paid in stages as follows:
 - i. \$1 million within 30 days of Hurstville LEP 2012 Amendment;
 - ii. \$1 million immediately prior to the issue of a notice of determination granting the first Development Consent for the Developer’s Land; and
 - iii. The remainder prior to the issue of any Construction Certificate for the Development on the Developer’s Land
 2. The construction and dedication at no cost to Council a 3m wide strip of land adjoining the Developer’s Land and Robert’s Lane prior to the issue of the first subdivision certificate or the issue of the first occupation certificate for building C as referred to in the Planning Proposal. The widened Robert’s Lane shall be constructed in accordance with the Council’s standards and requirements. The estimated value of the land being dedicated and the road widening works totals \$514,122.
 3. An easement that benefits Council which will enable public access through the site.
- (b) The Council delegate authority to the General Manager to execute the Heads of Agreement (**ATTACHMENT 2**) as referred to in Item (a) above.
- (c) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement as agreed by the Parties in the Heads of Agreement (**ATTACHMENT 2**), and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979, and if a Gateway is issued by the delegate of The Greater Sydney Commission for the Planning Proposal.
- (d) That Council delegate authority to the General Manager to:
 1. Authorise any minor changes to the draft Voluntary Planning Agreement following public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above;
 2. Subsequently enter into the Voluntary Planning Agreement on behalf of Council.

- (e) That the land to be dedicated to Council, under the terms of the Voluntary Planning Agreement, is to be dedicated for the purposes of a road, in accordance with the relevant provisions of Roads Act 1993.

CCL148-17 Planning Proposal PP2014-0003 - 29-31 MacMahon Street Hurstville
(Report by Manager Strategic Planning)

The Administrator moved and declared carried:

- (a) That Council receive and note the report on the Planning Proposal PP2014/0003 relating to 29 -31 MacMahon Street Hurstville
- (b) That Council delegate the General Manager to enter into a voluntary planning agreement relating to the site at 29-31 MacMahon Street Hurstville in accordance with the provisions of the Council's Voluntary Planning Agreement Policy.
- (c) That a binding Heads of Agreement be prepared with the proponent to provide a public benefit consistent with adopted practice and procedures since 1 August 2016.
- (d) Should the Heads of Agreement referred to in (c) above not be finalised within 30 days of the date of this resolution, the General Manager will write to the Minister for Planning under Section 58(4) of the Environmental Planning and Assessment Act requesting that the Planning Proposal for the subject site not proceed due to lack of sufficient public benefit.

CCL149-17 Draft Georges River LGA Employment Lands Study - Review of Lands Zone IN2 - Light Industrial
(Report by Coordinator Strategic Planning)

The Administrator moved and declared carried:

That Council endorse an independent peer review of the methodology, assessment and methodology undertaken on all of the City's Industrial Precincts as part of the preparation of the Georges River Employment Lands Study.

- (a) That Council endorse the interim categorisation of the Industrial Precincts as outlined in the following table, pending finalisation of the peer review and the endorsement of the Study by the Greater Sydney Commission as a Strategic Study:

Precinct	Interim Categorisation
Peakhurst Industrial Precinct	Protected Industrial Precinct
Kingsgrove Industrial Precinct	Prime Industrial Precinct
Carlton Industrial Precinct	Protected Industrial Precinct
South Hurstville – Halstead Street Industrial Precinct	Investigation Precinct

Blakehurst Industrial Precinct	Protected Industrial Precinct
Beverly Hills – Penshurst Street Industrial Precinct	Investigation Precinct
Hurstville Industrial – Hurstville East Precinct	Investigation Precinct
Penshurst Industrial – Forest Road (between Arcadia St and Cambridge St) Precinct	Protected Industrial Precinct
Penshurst Industrial – Forest Road (between Connelly St and Apsley St) Precinct	Investigation Precinct
Penshurst Industrial – Penshurst Lane Precinct	Investigation Precinct

- (b) That all those who made a submission to the exhibition of the draft Employment Lands Study – Industrial Precincts be advised in writing of Council’s resolution and next steps.
- (c) That following the endorsement of the Study by the Greater Sydney Commission as a Strategic Study:
- i. That Council implement the process for consideration of rezoning of Investigation Precincts, as outlined in the body of the report and this information be provided to owners of properties within the Investigation Precincts as well as on Council’s website.
 - ii. That all property owners be notified in writing of the final categorisation of the Industrial Precinct affectation for their property.
 - iii. That any rezoning proposals lodged prior to endorsement of the Study as a Strategic Study by the Greater Sydney Commission not be submitted to the IHAP/Council for consideration until such endorsement (or otherwise) is obtained.
- (d) That Council undertake further investigations on the future of the Kingsgrove Industrial Precinct, considering the industrial employment lands within the Central and South Districts and the strategic locations and contributions of such lands by Canterbury Bankstown Council, Bayside Council and the Greater Sydney Commission.
- (e) That a further report on the future of the B2 – Local Centre and B1 – Neighbourhood Centre zones be presented to Council once completed.

CCL150-17 Summary of Development Applications lodged and determined
(Report by Manager Development and Building)

The Administrator moved and declared carried:

That the information on development applications lodged and determined for April 2017 - June 2017 be received and noted.

CCL151-17 Planning Proposal PP2017-0003 - Reclassification of Lot 2 DP 1200178 part of Taylors Reserve from community to operational land
(Report by Manager Strategic Planning)

The Administrator moved and declared carried:

- (a) That Council endorses the reclassification of Lot 2 DP1200178 Taylor's Reserve, Lime Kiln Road and Woodlands Avenue, Lugarno from 'Community Land' to 'Operational Land'.
- (b) That the Planning Proposal for the reclassification of Lot 2 DP1200178 Taylor's Reserve, Lime Kiln Road and Woodlands Avenue, Lugarno from 'Community Land' to 'Operational Land' be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.
- (c) If it is determined by the Greater Sydney Commission or its delegate under Section 56 of the Environmental Planning and Assessment Act 1979 that the Planning Proposal referred to in Recommendation 2 should proceed, that it be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment.
- (d) That a Public Hearing is held into the reclassification of Lot 2 DP1200178 Taylor's Reserve, Lime Kiln Road and Woodlands Avenue, Lugarno, from community to operational as required under Section 29 of the Local Government Act 1993.
- (e) That following the exhibition and the public hearing, the General Manager be delegated to assess submissions, undertake minor amendments and to lodge the Planning Proposal with the Department of Planning & Environment requesting notification.
- (f) That prior to lodging the Planning Proposal with the Department of Planning & Environment requesting notification in (e) above, that Council approach all the land owners that utilise the informal access (highlighted in **Figure 4** of the report) seeking their agreement to contribute to the costs of any road construction required to formalise the access.

CCL152-17 Canopy Enhancement Program
(Report by Manager Environmental Health & Regulatory Services)

This item was considered with Administrator Minute No 28.

The Administrator moved and declared carried:

- (a) That Council support the development of a Canopy Enhancement Program using the two frameworks outlined in this report to assist in maintaining and increasing the City's tree canopy and to support the implementation of the Urban Forest Strategy.
- (b) That a further report be presented to Council in November 2017 seeking endorsement of a draft Canopy Enhancement Program for public exhibition.

CCL153-17 Offer to enter into a Voluntary Planning Agreement accompanying Development Application No 2017 0040 for 6 Cross Street Hurstville
(Report by Executive Strategic Planner)

The Administrator moved and declared carried:

- (a) That Council accept and endorse the written offer dated 21 July 2017 from the Illawarra Catholic Club Limited (Developer) to enter into a Voluntary Planning Agreement (**Attachment**) for 6 Cross Street, Hurstville, accompanying Development Application

DA2017/0040 which proposes a mixed use development comprising club activities, commercial space, carparking and 124 hotel rooms, which will deliver the following public benefits:

- i. the Developer will provide a monetary contribution of \$976,147 (based on \$954.20/m² of additional gross floor area of 1,023m²) for providing infrastructure improvements in the Hurstville City Centre, including the embellishment of the Civic Plaza and upgrade of the local road network;
 - ii. the public benefits are over and above the usual Section 94, 94A and 94EF contributions applicable to the development;
 - iii. the cash contribution and offer will be formalised within a Heads of Agreement that is to be signed prior to the determination of the Development Application; and
 - iv. the final VPA will contain provisions necessary to ensure compliance with the provisions of the Environmental Planning and Assessment Act 1979.
- (b) That if the terms of the offer are accepted by Council, Council endorse the offer subject to a Heads of Agreement being entered into prior to the Development Application DA2017/0040 being determined.
- (c) The Council delegate authority to the General Manager to negotiate and enter into the Heads of Agreement referred to above.
- (d) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979,
- (e) That Council delegate authority to the General Manager to:
- v. Authorise any minor changes to the draft Voluntary Planning Agreement following public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above; and
 - vi. Subsequently enter into the Voluntary Planning Agreement on behalf of Council.

CCL154-17 Changes to Notification and Advertising Provisions of Development Control Plans
(Report by Team Leader Major Projects)

The Administrator moved and declared carried:

- (a) That Council notes the proposal to amend Hurstville Development Control Plan No. 1, Hurstville Development Control Plan No. 2, and Kogarah Development Control Plan 2012 to harmonise the notification requirements for development applications to ensure consistency with all development applications throughout the LGA.
- (b) That the amended Draft DCP's be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and its regulation.

CCL155-17 Draft Hurstville City Centre Urban Design Strategy
(Report by Coordinator Strategic Planning)

The Administrator moved and declared carried:

- (a) That the draft Hurstville City Centre Urban Design Strategy attached at Attachment 1 be publicly exhibited for no less than 40 days in accordance with the Engagement Strategy outlined in the body of the report.

- (b) That a further report be presented to Council following the exhibition of the draft Strategy, including a summary of submissions and recommendations with respect to the finalisation of the draft Hurstville City Centre Urban Design Strategy.
- (c) That GHD be appointed for the purposes of updating the Hurstville City Centre Transport Management and Accessibility Plan (the “TMAP”) for the reasons outlined in the body of the report, with the scope of works to be determined but at a minimum for the work to be undertaken as outlined in the body of the report.
- (d) That once the TMAP has been updated, a report be presented to Council outlining the recommendations for the Hurstville City Centre.

CCL156-17 Economic Development Advisory Committee Minutes
(Report by Economic Development Officer)

The Administrator moved and declared carried:

That Council adopts the minutes of the Economic Development Advisory Committee meeting which was held on Monday 10 July 2017.

Finance and Governance

CCL157-17 Georges River Council Mayor and Councillors Expenses and Facilities Policy for Adoption
(Report by Executive Manager)

The Administrator moved and declared carried:

That Council adopt the Georges River Council Mayor and Councillors Expenses and Facilities Policy, as outlined in this report.

CCL158-17 Advice on Court Proceedings - July 2017
(Report by General Counsel)

The Administrator moved and declared carried:

That the information be received and noted.

CCL159-17 Audit Risk and Improvement Committee Minutes - 13 February 2017 and 10 April 2017
(Report by Internal Auditor)

The Administrator moved and declared carried:

That Council note the Minutes of the Audit, Risk and Improvement Committee provided as attachments to this report.

CCL160-17 Access to Councillor Disclosure of Interest Returns
(Report by Manager Governance and Risk)

The Administrator moved and declared carried:

That Councillor Disclosure of Interest Returns (DOI Returns) as required under Section 449 of the Local Government Act 1993, be made publicly available on Council’s website, in

addition to being available for public inspection at Council offices.

CCL161-17 Georges River Council Code of Meeting Practice for Adoption
(Report by Executive Manager)

The Administrator moved and declared carried:

- (a) That Council adopt the Georges River Council Code of Meeting Practice, as outlined in this report.
- (b) That a copy of the adopted Georges River Council Code of Meeting Practice be sent to the Office of Local Government for information.
- (c) That as the next ordinary meeting of Council will be held within 5 days of the Council election, speakers will be restricted to matters on the Agenda.

CCL162-17 Tender for Carss Bush Park Channel and Foreshore Naturalisation
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That the report be received and noted.
- (b) That the separate report on this agenda relating to Tender for Carss Bush Park Channel Foreshore Naturalisation be considered in closed session, in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, Section 10A (2) (c) as it is considered the information, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CCL163-17 Tender for Chivers Hill Shopping Centre Footpath Upgrade
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That the report be received and noted.
- (b) That the separate report on this agenda relating to Tender for Chivers Hill Shopping Centre Footpath Upgrade be considered in closed session, in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, Section 10A (2) (c) as it is considered the information, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CCL164-17 Tender for Gannons Park Water Quality Improvement and Stormwater Harvesting Scheme - Stage 1
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That the report be received and noted.
- (b) That the separate report on this agenda relating to Tender for Gannons Park Water Quality Improvement and Stormwater Harvesting Scheme - Stage 1 be considered in closed session, in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, Section 10A (2) (c) as it is considered the information, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CCL165-17 Tender for the Reconstruction of Turfed Sportsfields at Olds Park and Oatley Park Oval
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That the report be received and noted.
- (b) That the separate report on this agenda relating to Tender for the Reconstruction of Turfed Sportsfields at Olds Park and Oatley Park Oval be considered in closed session, in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, Section 10A (2) (c) as it is considered the information, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CCL166-17 Tender for the Construction of Central Plaza
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That the report be received and noted.
- (b) That the separate report on this agenda relating to Tender for Construction of Central Plaza be considered in closed session, in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, Section 10A (2) (c) as it is considered the information, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CCL167-17 Attendance at Georges River Council Advisory Committees 2016-2017
(Report by Executive Manager)

The Administrator moved and declared carried:

- (a) That the attendance of former councillor committee members at the various Georges River Council Advisory Committee meetings during 2016-2017 is received and noted.
- (b) That the committee members be thanked for their attendance and contributions at the Committee Meetings.
- (c) That payments, based on the remuneration set by the Minister for Local Government, to the Administrator for the financial years, 2015/16, 2016/17 and 2017/18 be published on Council's Website.

CCL168-17 Tender for the provision of real estate and property valuation services panel
(Report by Executive Manager Premium Facilities and Properties)

The Administrator moved and declared carried:

That Council endorse the panel selections for real estate agents and property valuers as recommended by the Tender Evaluation Committee and approved by the Tender Steering Committee.

CCL169-17 Adoption of Georges River Councils draft Code of Conduct and draft Procedures for the Administration of the Code of Conduct

(Report by Governance Consultant)

The Administrator moved and declared carried:

- (a) That Council adopt the draft Code of Conduct as contained in Attachment 1.
- (b) That Council adopt the draft Procedures for the Administration of the Code of Conduct as contained in Attachment 2.
- (c) That as an alternative to establishing a panel of conduct reviewers Council endorse the use of investigation services specified under NSW Procurement's Performance and Management Services Prequalification Scheme for referrals of Councils' Code of Conduct complaints, pursuant to the Office of Local Government Circular No 16-08 / 31 March 2016.

CCL170-17 Georges River Council Access to Information Policy
(Report by Governance Officer)

The Administrator moved and declared carried:

That Council endorse the draft Georges River Council Access to Information Policy for public exhibition for a period of not less than 28 days.

CCL171-17 Preliminary Investment Report as at 30 June 2017
(Report by Team Leader Financial Reporting)

The Administrator moved and declared carried:

That the Preliminary Investment Report as at 30 June 2017 be received and noted.

CCL172-17 Georges River Council Privacy Management Plan
(Report by Governance Officer)

The Administrator moved and declared carried:

That Council endorse the draft Georges River Council Privacy Management Plan for public exhibition for a period of not less than 28 days.

CCL173-17 Amendment to the Schedule of Fees & Charges 2017-18
(Report by Coordinator Financial Management)

The Administrator moved and declared carried:

- (a) That Council adopt the amended Schedule of Fees and Charges in relation to the corrected Section 94A Development Contribution fees. The Section 94A Development Contribution fees were stated incorrectly in the Operational Plan for 2017-2018 adopted on 29 June 2017.
- (b) That Council exhibit the changes to the fees and charges outlined in the Appendix for a further 28 days.

Assets and Infrastructure

CCL174-17 Exhibition Outcome - Georges River Council Property Asset Strategy and Business Plan and Property Acquisition and Disposal Policy
(Report by Strategic Property Officer)

The Administrator moved and declared carried:

- (a) That Council adopt the draft Georges River Council Property Asset Strategy and

Business as publicly exhibited.

- (b) That Council adopt the draft Georges River Council Property Acquisition and Disposal Policy as publicly exhibited.

CCL175-17 Georges River Council Traffic Advisory Committee Meeting - 18 July 2017
(Report by Traffic Engineer)

The Administrator moved and declared carried:

That the Minutes of the Georges River Traffic Advisory Committee Meeting held on 18 July 2017 be adopted.

CCL176-17 Property Matter - Central Plaza - 292 to 296 Forest Road Hurstville
(Report by Property Portfolio Manager)

The Administrator moved and declared carried:

That subject to the grant of development consent for the proposed retail and commercial redevelopment of 282-290 Forest Road, Hurstville, by the Coombes Property Group (CPG), that will provide for sufficient activation between the proposed building and the ground level of land at Lot 16 in DP4799 being 292-296 Forest Road, Hurstville and known as Central Plaza:

- (a) That the Administrator and General Manager be authorised to negotiate and finalise, within 30 days, the commercial terms associated with the draft Agreement – Grant of Property Rights up to \$3.4 million;
- (b) Should negotiations referred to in (a) above not be finalised within 30 days, a further report be submitted to Council outlining progress to date and providing options for satisfactory completion of the matter;
- (c) That subject to satisfactory finalisation of the commercial terms referred to in (a) above, Council acting as land owner, submit an application to reclassify part of Central Plaza from Community to Operational land;
- (d) That subject to satisfactory finalisation of the commercial terms referred to in (a) above the General Manager be delegated authority to prepare and lodge a Planning Proposal to reclassify part of Central Plaza Land from Community to Operational land;
- (e) That if the Planning Proposal is given Gateway determination, the General Manager be delegated authority to appoint a former Judge of the NSW Land and Environment Court or a person with equivalent standing, expertise and experience, to chair the Public Hearing and make recommendations following that hearing;
- (f) That the General Manager be delegated authority to appoint an independent consultant to prepare a post-Gateway exhibition report;
- (g) That following any reclassification, an Easement for Egress and Access (or Right of Way), a Restrictive Covenant for Fire Separation and an Easement for Encroaching Structure (together known as Property Rights) be granted over the applicable part(s) of the Central Plaza land;
- (h) That the General Manager and the Administrator/Mayor be authorised to execute the s88B Instrument or Transfer Granting Easement and all associated documentation to create the covenant and easements, (under the Common Seal of the Council, if required) as generally detailed in this report; and
- (i) That all Council's costs associated with the reclassification and granting of the Property Rights including legal and valuation costs be met by the owner of the CPG Land.

Community and Culture

CCL177-17 Georges River Council Sponsorship and Donation Policy (Report by Manager Community & Cultural Development)

The Administrator moved and declared carried:

That Council adopt the attached Georges River Council Sponsorship and Donation Policy, as outlined in this report.

CCL178-17 Georges River Councils Draft Children's Services Strategic Plan 2017-2020

(Report by Manager - Children's Services)

The Administrator moved and declared carried:

- (a) That Council endorse the attached Draft Children's Services Strategic Plan 2017-2020 to be placed on public exhibition for a period of not less than 28 days.
- (b) That the submissions received during the public exhibition period be reported back to Council together with any recommended changes to the Draft Children's Services Strategic Plan 2017-2020.

CCL179-17 Georges River Council Library Strategy 2017-2020

(Report by Acting Manager Library Services)

The Administrator moved and declared carried:

That Council adopt the attached Georges River Council's Library Strategy 2017 - 2020

CCL180-17 Georges River Draft Events Strategy

(Report by Transformation & Change - Senior Project Officer)

The Administrator moved and declared carried:

- (a) That the Draft Events Strategy be placed on public exhibition for a period of no less than 28 days.
- (b) That the Draft Events Strategy be made available on Council's website following adoption.
- (c) That the Category 1 community run events be allocated separate budget lines to allow for monitoring and evaluation.

CCL181-17 Georges River Council Community Grants Program 2017 Round 1

(Report by Coordinator Community Development)

The Administrator moved and declared carried:

- (a) That the funding allocation for the Georges River Council Community Grants Program 2017 Round 1, as listed within Attachment 1, be adopted.
- (b) That the Not for Profit service, as listed within Attachment 1, be granted the ownership of Council's Community Bus as from 1 January 2018, and be responsible for the cost of operation, upkeep and all other expenses associated with the bus, with an agreement being signed that will ensure that the bus will continue to be used for community purposes for at least a period of three years.

CCL182-17 Exhibition Outcome - Georges River Council Community Lease Policy
(Report by Strategic Property Officer, Amber McCormack)

The Administrator moved and declared carried:

That draft Georges River Council Community Lease Policy be deferred for consideration at the next meeting of Council.

CCL183-17 Georges River Council Logo Implementation Plan
(Report by Manager Communications and Customer Service)

The Administrator moved and declared carried:

- (a) That Council adopts Phase 1 of its Logo Implementation Plan, consisting of the roll-out of Council's new logo between August to December 2017 at high profile locations and major facilities such as:
- i. Georges River Council Civic Centre,
 - ii. Libraries and Service Centres,
 - iii. Childcare Centres,
 - iv. Hurstville Aquatic Centre & Sans Souci Pool,
 - v. Premier Council-owned sporting venues i.e. Jubilee Oval, Hurstville Oval and Harold Fraser Oval, and
 - vi. Gateway signs throughout the local area;
- (b) That Council adopts a signage design suite to include the prominent feature of the official Council three-colour logo on major council facilities and gateway signage to promote and embed the Georges River Council's new visual identity;
- (c) That Council carry out a comprehensive signage audit that will inform Phase 2 of Council's Logo Implementation Plan from December 2017 onwards;
- (d) That Council receives a further report on Phase 2 of the Logo Implementation Plan after the completion of the signage audit.

Confidential items (Closed Council Meeting)

The Administrator asked the General Manager if any representations had been received from the public that the item should not be discussed in closed session.

The General Manager replied that no representations had been received to the item in closed session.

The Administrator asked if there were any members of the public gallery who would like to speak on the reasons Council proposes to consider the items in closed session.

That in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the following matters be considered in closed Council at which the press and public are excluded.

CON017-17 Tender for Carss Bush Park Channel and Foreshore Naturalisation
(Report by Manager Project Delivery)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(i)) (d(iii)) it is considered the matter concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

CON018-17 Tender for Chiver's Hill Shopping Centre Footpath Upgrade
(Report by Manager Project Delivery)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(i)) (d(iii)) it is considered the matter concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

CON019-17 Tender for Gannon's Park Water Quality Improvement and Stormwater Harvesting Scheme - Stage 1
(Report by Manager Project Delivery)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(i)) (d(iii)) it is considered the matter concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

CON020-17 Tender for the Reconstruction of Turfed Sportsfields at Olds Park and

Oatley Park Oval

(Report by Manager Project Delivery)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(i)) (d(iii)) it is considered the matter concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

CON021-17 Tender for the Construction of Central Plaza

(Report by Manager Project Delivery)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(i)) (d(iii)) it is considered the matter concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it; AND contains commercial information of a confidential nature that would, if disclosed reveal a trade secret.

CON022-17 Tender for the panel of real estate agents and property valuers - Confidential Extract

(Report by Executive Manager Premium Facilities and Properties)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(i)) it is considered the matter concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it concerns commercial information of a confidential nature that would if disclosed prejudice the position of a person who supplied it.

Consideration of Confidential Recommendations**CON017-17 Tender for Carss Bush Park Channel and Foreshore Naturalisation**
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That Council not accept the tenders lodged in relation to Carss Bush Park Channel Foreshore Naturalisation (T17/012).
- (b) That Council notify tenderers of the decision to cancel the tender.
- (c) That Council re-tender the project with additional conditions as determined by the General Manager.

CON018-17 Tender for Chiver's Hill Shopping Centre Footpath Upgrade
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That KK Consultants be awarded the Contract for Chivers Hill Shopping Centre Footpath Upgrade for a total cost of \$ 431,875 including night works provision (excluding GST).
- (b) That the works be funded from the Georges River Council 2016-2017 and 2017-2018 "Infrastructure Plus – Shopping Centres" Budget.
- (c) That the General Manager be authorised to sign the Contracts with the preferred Contractors on behalf of Council.

CON019-17 Tender for Gannon's Park Water Quality Improvement and Stormwater Harvesting Scheme - Stage 1
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That Civil Constructions be awarded the Contract for Gannon's Park Water Quality Improvement and Stormwater Harvesting Scheme - Stage 1 for a total cost of \$2,082,594.00 (excluding GST).
- (b) That the works be funded from the Georges River Council 2016-2017 and 2017-2018 Project Budget.
- (c) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.

CON020-17 Tender for the Reconstruction of Turfed Sportsfields at Olds Park and Oatley Park Oval
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That The Green Horticulture Group Pty Ltd be awarded the Contract for Resurfacing and Irrigation Works at Olds Park Soccer Field for a total cost of \$131,145 (excluding GST).
- (b) That Garden Growing Solutions Pty Ltd be awarded the Contract for Works at Oatley Park Oval for a total cost of \$ 102,400 (excluding GST).
- (c) That the works be funded from the Georges River Council 2017-2018 "Infrastructure Plus – Parks" Budget.

- (d) That the General Manager be authorised to sign the Contracts with the preferred Contractors on behalf of Council.

CON021-17 Tender for the Construction of Central Plaza
(Report by Manager Project Delivery)

The Administrator moved and declared carried:

- (a) That KK Consultants Pty Ltd (trading as KK Civil Engineering) be awarded the Contract for Construction of Central Plaza for a total cost of \$3,559,905 (excluding GST).
- (b) That the works be funded from the Georges River Council 2016-2017 and 2017-2018 Project Budget.
- (c) That the General Manager be authorised to sign the Contract with the preferred Contractor on behalf of Council.

CON022-17 Tender for the panel of real estate agents and property valuers - Confidential Extract
(Report by Executive Manager Premium Facilities and Properties)

The Administrator moved and declared carried:

That Council endorse the panel selections for real estate agents and property valuers as recommended by the Tender Evaluation Committee and approved by the Tender Steering Committee.

Open Council

The Administrator resolved that the meeting revert to Open Council.

Consideration of Recommendations from Closed Session

The Administrator resolved that the Report of the Closed session recommendations be adopted.

Conclusion

The Meeting was closed at 7.13pm

Chairperson